

REMARKS

This Amendment is in response to recent telephone interviews with the Examiner, and in response to the Final Office Action of February 23, 2007, in which the Examiner (1) rejected claims 1-11 and 24-28 under 35 USC 112 as failing to comply with the written description requirement, (2) rejected claims 1-11, 19, and 22-28 under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention, (3) rejected claims 1-7, 12-14, 17-18, 20, and 24-28 under 35 USC 102(b) as being anticipated by Schmonsees, U.S. Patent 5,842,221 ("**Schmonsees**"), (4) rejected claims 8-11, 15, and 19 under 35 USC 103(a) as being unpatentable by **Schmonsees** in view of Namba, U.S. Pub. 2003/0018629 ("**Namba**"), and (5) rejected claims 16 and 21 under 35 USC 103(a) as being unpatentable by **Schmonsees** in view of Lee, U.S. Pub. 2003/0200118, ("**Lee**").

Applicant appreciates the courtesy extended to Applicant's attorney during telephone interviews and discussions with the Examiner on April 10, 2007 and April 19, 2007. During those discussions, the Examiner and Applicant's attorney discussed the rejection of various claims under 35 USC §112 and the relevance of **Schmonsees** to the claims, particularly claim 1. Applicant's attorney described his understanding that **Schmonsees** does not disclose "account data" as the basis for selecting FAQs. Rather, in **Schmonsees**, FAQs are selected based on topics selected by the user (Col. 4, l. 36). Also, the meaning of the claim term "account data" was discussed, with the Examiner's position understood to be that "account data" could be any kind of data, not only personal data. Further, the use of the claim term "personal attributes" was discussed, with the Examiner's position understood to be that such term is not found in the specification.

By the present Amendment, Applicant proposes canceling claims 12-17 and amending claims 1, 18, and 24, in order to distinguish such claims from **Schmonsees** and to overcome the rejections under 35 USC §112. For example, in claim 1, account data used for selecting the FAQs is now recited as "associated with personal data related to the user," rather than being recited (as previously appearing in claim 1) as comprising "at least one personal attribute." Support for such new recitation can be generally found at paragraphs 0017, 0019 and

0023 of the Specification. The Examiner requested (in the telephone interview on April 19) specific reference to support the term "related." Such term can be found, among other places, at paragraph 0023, line 11.

The Examiner also stated that the method claims as previously presented would be rejected under 35 U.S.C. 101 upon further action by the Examiner. Applicant has amended the independent method claims 1 and 18 to include the term "computer-implemented," in order to overcome such anticipated rejection.

Claims 1 and 24 have been amended to replace the phrase "such that" with the phrase "so that."

In addition, the rejection of claims 9-11, 19, and 22 under 35 USC §112 is believed to be overcome by the present amendment of such claims, to more positively recite the condition that is pertinent to the step of "evaluating a condition."

Applicant apologizes for the misunderstanding with the Examiner as to how this Amendment should be presented for consideration (two prior "draft" amendments were separately submitted for discussion purposes via e-mails on April 14 and April 19, 2007). This amendment is now being submitted formally under 37 CFR 1.116.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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Amdt. dated May 11, 2007
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2161

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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